

REMARKS

Claims 1-23 are pending in the present application and have been rejected. Applicant affirms the election of Group I (Claims 1-23) for prosecution and that Claims 24-28 were withdrawn from consideration as being non-elected claims, and are hereby cancelled pending the possible filing of a divisional application. Claims 1, 2, 4, 6, 12, 18, 20 and 21 have been amended and Claim 19 has been cancelled. Claims 29 and 30 are added herein. Applicant respectfully request reconsideration of the claims in view of the following remarks.

Claims 1 and 3 were rejected under 35 U.S.C. §102(a) as being anticipated by the Yamato reference. Further, all of the claims were rejected under 35 U.S.C. §103 as being unpatentable over one or more of the Matsuura, Umeki, Kimura, and Yabu references.

However, all of the independent claims have now been rewritten such that they clearly include limitations nowhere found in any of the references of record whether considered singly or in combination. It is further respectfully submitted that all of the claims now clearly patentably define over all references of record.

More specifically, nowhere do the references either individually or in combination teach forming a mask to produce at least one rounded feature, by first using the energy beam to form a rough representation of a rounded feature having stair step edges on the mask and then using the elliptical beam at a selected angular orientation to smooth the stair step edges (independent Claims 1, 12 and 18). Even more specifically, none of the references teach using the elliptic beam at a first angular orientation to form the rough representation of the rounded feature with stair step edges, and then using the elliptic beam at a different angular orientation to smooth the stair step edges to form a smooth rounded feature.

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Therefore, it is submitted that all of the claims are now allowable and in condition for allowance.

In conclusion, in view of the above, Applicant respectfully requests that the Examiner allow Claims 1-23, 29 and 30 and pass the present patent application to issuance. If the Examiner has any questions, Applicant invites the Examiner to contact Applicant's attorney at the phone number below. No fee is believed due in connection with this filing. However, should one be deemed due, please charge Deposit Account No. 50-1065.

Respectfully submitted,

October 6, 2003

Date

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